

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

ARK LABORATORY, LLC,

Debtor.

Chapter 11
Case No. 23-43403
Hon. Maria L. Oxholm

**STIPULATION FOR ORDER REJECTING CONTRACT WITH
MCLAREN MEDICAL LABORATORY**

The undersigned counsel stipulate to entry of the attached Order Rejecting Contract with McLaren Medical Laboratory (“McLaren”). In support of the Order, the parties advise the Court as follows:

1. The Debtor filed the *Motion of Debtor to Reject Certain Executory Contracts and Unexpired Leases, and for Related Relief* on July 10, 2023 [Doc. No. 154] (the “Motion”).
2. McLaren filed its Objection on July 24, 2023 [Doc No. 165] (the “Objection”), objecting to some of the terms of the proposed order. Since the filing of the Objection, McLaren is no longer providing services to the Debtor pursuant to the Laboratory Services Agreement dated August 23, 2021 (the “Contract”).
3. This matter was set for hearing on August 31, 2023, which hearing was then adjourned to September 28, 2023.

4. The parties agree that there is no reason to delay entry of an order rejecting the Contract and request that the Court enter the Order attached hereto as Exhibit A.

Respectfully submitted,

/s/ Robert N. Bassel w/consent

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No Objection:

ANDREW R. VARA

UNITED STATES TRUSTEE

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EXHIBIT A

UNITED STATES BANKRUPTCY COURT
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**ORDER REJECTING CONTRACT WITH
MCLAREN MEDICAL LABORATORY**

THIS MATTER is before the Court in the Stipulation of the parties [Doc. No. ____]. The Court has reviewed the Stipulation, finds good cause for entry of this Order and is otherwise advised in the premises.

NOW THEREFORE,

IT IS HEREBY ORDERED that the Laboratory Services Agreement dated August 23, 2021 between McLaren Medical Laboratory (“McLaren”) and the Debtor (the “Contract”) is rejected effective as of 11:59 p.m. July 26, 2023 (the “Rejection Date”).

IT IS FURTHER ORDERED that the Administrative Expense Claim of McLaren shall include amounts owed by the Debtor to McLaren for tests submitted by the Debtor after the Petition Date and through the Rejection Date even though such tests may not have been completed until after the Rejection Date.

IT IS FURTHER ORDERED that McLaren shall file a request for allowance of its Administrative Expense Claim within such time as the Court sets for all administrative expense creditors to request allowance of their claims in this matter.

IT IS FURTHER ORDERED that McLaren's allowed Administrative Expense Claim shall be paid pursuant to the Debtor's Combined Disclosure Statement and Plan of Liquidation [Doc. No. 249], as same may be amended, or other Order of this Court.

IT IS FURTHER ORDERED that the *Motion of Debtor to Reject Certain Executory Contracts and Unexpired Leases, and for Related Relief* on July 10, 2023 [Doc. No. 154] (the "Motion"), solely as it pertains to McLaren, is withdrawn.